

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the following remarks:

Claims 1-12 are pending in the present application. Claims 1, 5, and 9 are the independent claims.

Claims 4-8 stand rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Specifically, the Office Action contends that “the word in conjunction with the word “means” is unclear. This rejection is respectfully traversed.

Firstly, regarding claim 4, it is to be appreciated that Applicant has not defined his invention using the “means” in that claim. Secondly, regarding claims 5-8, it is unclear which “word” before the word “means” is allegedly indefinite as Applicant has chosen to define his invention using so-called “means plus function” format in these claims. Nonetheless, Applicant respectfully submits that his use of means plus function format is consistent with U.S. Patent Office practice and authorized by 35 U.S.C. § 112, sixth paragraph.

Accordingly, favorable reconsideration and withdrawal of the rejection of claims 4-8 under the second paragraph of 35 U.S.C. § 112 are respectfully requested.

Claims 1-6, 9, and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated U.S. Patent No. 6,434,441 (Beauchamp et al.). Claims 7, 8, 11, and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Beauchamp et al. in view of U.S. Patent No. 5,552,995 (Sebastian). All rejections are respectfully traversed.

Independent claim 1 recites, inter alia, a load region data creating function for creating load region data for specifying a load applying region in a master model.

Independent claims 5 and 9 correspond generally to independent claim 1 and recite similar features in means plus function and method forms, respectively.

However, Applicant respectfully submits that Beauchamp et al. does not teach at least the aforementioned features of independent claims 1, 5, and 9.

Beauchamp et al. relates to designing and making an article of manufacture and discusses a process which includes the steps of:

- (i) creating a parametric geometrical representation of the article of manufacture (i.e., a master model) and storing the master model on a computer medium;
- (ii) choosing one or more engineering parameters relating to customer requirement

parameters;

- (iii) creating a design analysis methodology that relates the master model to the engineering parameters and the customer requirement parameters;
- (iv) programming the design analysis methodology into a computer code (i.e., a Design Spreadsheet) such that the engineering parameters and customer requirement parameters are program inputs and the geometric parameters of the master model are program outputs;
- (v) inputting specific values of the engineering parameters and the customer requirement parameters into the computer code; and
- (vi) running the computer code on a digital computer and outputting specific values of the geometric parameters of the master model.

(Beauchamp et al., Abstract, Col. 1, line 5 – Col. 2, line 27). The process also includes additional optional steps including updating the master model. (Beauchamp et al., Col. 7, lines 59-67).

The Office Action, at page 3 thereof, contends that this updating of the master model meets the load region data creating function of independent claim 1 and column 7, lines 59-67 of Beauchamp et al. are cited or support. However, the cited portion expressly teaches that the parameters output by the Design Spreadsheet (design analysis methodology) are used to update the master model. Thus, the cited portion of Beauchamp et al. relied upon by the Office Action does not teach the aforementioned load region data creating function.

Regarding independent claims 5 and 9, Applicant has reviewed the various other portions of Beauchamp et al. cited by the Office Action and does not find any support for the contention that the load region data creating features of these claims are taught by Beauchamp et al. Specifically, column 4, lines 10-27 discusses creating a master model, column 7, lines 17-56 discusses programming and running the Design Spreadsheet (design analysis methodology), and column 8, lines 36-53 discusses the logic used to develop the Design Spreadsheet.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 5, and 9 under 35 U.S.C. § 102 are respectfully requested.

Regarding the rejection of claims 7, 8, 11, and 12 under 35 U.S.C. § 103, the secondary citation to Sebastian relates to a concurrent engineering design tool and method and is cited for its alleged teaching of interconnecting CAD objects. Applicant respectfully submits that Sebastian does not add anything that would remedy the aforementioned deficiencies of Beauchamp et al.

Accordingly, favorable reconsideration and withdrawal of the rejection of claims 7, 8, 11, and 12 under 35 U.S.C. § 103 are respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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